

**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office SEP 23 1996
 Returned to applicant for correction _____
 Corrected application filed _____
 Map filed SEP 23 1996

The applicant **Newmont Gold Company & Palisade Ranch** by **Paul M. Pettit, Agent**, hereby makes application for permission to change the point of diversion of water heretofore appropriated under the **Humboldt Decree**, page 149, by proof 00225. The **Humboldt River Adjudication**, Bartlett Decree, page 149, proof 00225.

1. The source of water is **Humboldt River**
2. The amount of water to be changed **2.577 cfs**
3. The water to be used for **as decreed**
4. The water heretofore permitted for **as decreed**
5. The water is to be diverted at the following point **within the NE¼ NW¼, Section 04, T32N, R52E, M.D.B.&M., at a point from which the NW corner of said Section 04 bears N 78°58' W at a distance of 2683.78 feet.**
6. The existing permitted point of diversion is located within **within the SW¼ SW¼, Section 04, T32N, R52E, M.D.B.&M., at a point from which the SW corner of said Section 04 bears S 90° W a distance of 1050 feet as surveyed (see survey map dated June 21, 1996).**
7. Proposed place of use **See attached copy of Bartlett Decree pages 149.**
8. Existing place of use **See attached copy of Bartlett Decree pages 149.**
9. Use will be from **as decreed to as decreed** of each year.
10. Use was permitted from **as decreed to as decreed** of each year.
11. Description of proposed works **see Proof of Completion filed under permit 10459.**
12. Estimated cost of works **Not applicable**
13. Estimated time required to construct works **Completed**
14. Estimated time required to complete the application of water to beneficial use **1 year**
15. Remarks: **The reason for change of Point of Diversion, the applicants are unable to hold old dam, dam will not stay and banks too sandy to hold. Note: this application is hereby submitted to correct the Place of Use as requested under permit 10459, which is withdrawn. (See letter from Steve Brown, P.E., of the Nevada Division of Water Resources, dated March 7, 1996, filed under permit 10459.)**

By **s/ Paul M. Pettit**
PO Box 669
Carlin, NV 89822

Compared **cms/bk** **dl/cms**

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of the Humboldt River as heretofore appropriated under Proof 00225 as appears in the Humboldt River Decree No. 2804 entered October 20, 1931 and October 7, 1935, in the District Court of the Sixth Judicial District of the State of Nevada, in and for the County of Humboldt, is issued subject to the terms, conditions and irrigation period imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.577 cubic feet per second, and not to exceed 560.94 acre-feet per irrigation season as designated by the decree.

Work must be prosecuted with reasonable diligence and be completed on or before:

April 27, 2000

Proof of completion of work shall be filed before:

May 27, 2000

Application of water to beneficial use shall be filed on or before:

April 27, 2001

Proof of the application of water to beneficial use shall be filed on or before:

May 27, 2001

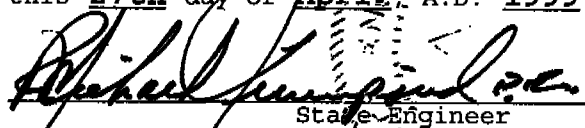
Map in support of proof of beneficial use shall be filed on or before:

May 27, 2001

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 27th day of April, A.D. 1999


State Engineer

Completion of work filed JUN 20 2000

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

THE BARTLETT DECREE

149

Thos. Griffin Estate—Continued. 00223

Priority	CULTURE ACRES			LOCATION				Length of Season	DUTY OF WATER	
	Harvest	Meadow	Diversified Pasture	Subdivision	Sec.	Tp.	R.		C. F. S.	Acre Feet
				SE1NW1	17	32	52			
				SW1NE1	17	32	52			
				NW1SE1	17	32	52			
				NE1SW1	17	32	52			
				NW1SW1	17	32	52			
				SW1SW1	17	32	52			
				SE1SW1	17	32	52			
				NE1NW1	20	32	52			
				NW1NW1	20	32	52			
				SE1NW1	20	32	52			
				SW1NW1	20	32	52			
				NW1SW1	20	32	52			
				SW1SW1	20	32	52			
				NE1SE1	19	32	52			
				SE1SE1	19	32	52			

Source—Humboldt River.

Ditch—Griffin Ditches and Sloughs. 00224

				SE1NW1	29	33	53			
				SW1	29	33	53			
				S1NE1	30	33	53			
				N1SE1	30	33	53			
				NW1	30	33	53			
				N1SW1	30	33	53			
				NE1	25	33	52	4-15-8-15	.615	150.00
1876	50.00			N1SE1	25	33	52	4-15-6-15	.219	28.66
1876		17.77		SE1NW1	25	33	52	4-15-5-15	5.513	336.18
1876			448.24	N1SW1	25	33	52			
				SW1SW1	25	33	52			
				SE1NE1	26	33	52			
				NE1SE1	26	33	52			
				S1SE1	26	33	52			
				SE1SW1	26	33	52			
				NW1NE1	35	33	52			

Claimant—McINTOSH ESTATE. #00225

Source—Humboldt River.

Ditch—McIntosh-Griffin Ditches and Sloughs.

1880				NE1SE1	5	32	52			
1880				SE1SE1	5	32	52			
1880				SW1SE1	5	32	52			
1880				NW1NE1	8	32	52			
1880				NE1NE1	8	32	52			
1880				SE1NE1	8	32	52			
1880				SW1NE1	8	32	52			
1880	179.45			NW1SE1	8	32	52	4-15-8-15	2.207	538.35
1880				NE1SE1	8	32	52	4-15-5-15	.116	7.09
1880		9.45		SE1SE1	8	32	52			
1880				SW1SE1	8	32	52			
1880				SE1SW1	8	32	52			
1880				NW1NW1	9	32	52			
1880				SW1NW1	9	32	52			
1880				NW1SW1	9	32	52			
1880								4-15-5-15	.009	5.54
1880		7.71						4-15-5-15	.092	5.80
1880		7.86						4-15-5-15	.124	7.62
1880		10.12						4-15-5-15	.010	.63
1880		.85						4-15-5-15	.014	.83
1880		1.10								

Claimant—T. D. GRIFFEN ESTATE. #00226

Source—Humboldt River.

Ditch—Griffen Ditch.

1880	332.07			SE1SW1	33	33	52	4-15-8-15	4.084	996.21
1880			102.70	SW1SE1	33	33	52	4-15-5-15	1.263	77.03
				W1	4	32	52			
				NW1NE1	4	32	52			
				SE1NE1	4	32	52			
				NW1SE1	5	32	52			
				SW1NE1	5	32	52			
				NE1SE1	8	32	52			
				SW1NE1	8	32	52			
				W1SE1	8	32	52			
				SE1SE1	8	32	52			
				SE1SW1	8	32	52			
				NW1NW1	9	32	52			

order determination

